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September 28, 1995

**VIA HAND DELIVERY**

Mr. William F. Caton  
Acting Secretary  
Federal Communications Commission  
1919 M Street, NW, Room 222  
Washington, DC 20554

DOCKET FILE COPY ORIGINAL

Re: MM Docket No. 92-214  
RM-8062  
Columbia and Bourbon, Missouri

Dear Mr. Caton:

Enclosed herewith on behalf of Zimmer Radio of Mid-Missouri, Inc., licensee of Station KCMQ(FM), Columbia, Missouri, are an original and four copies of its Request for Leave to File Supplemental Comments in the above-referenced proceeding.

Should any questions arise concerning this matter, please communicate directly with this office.

Very truly yours,



Andrew S. Kersting  
Counsel for  
Zimmer Radio of Mid-Missouri, Inc.

Enclosure

cc: Certificate of Service (w/ encl.)

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BEFORE THE

**Federal Communications Commission**

WASHINGTON, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

In the Matter of	)	
	)	
Amendment of Section 73.202(b)	)	MM Docket No. 92-214
Table of Allotments	)	RM-8062
FM Broadcast Stations	)	RM-8144
(Columbia, Bourbon, Leasburg,	)	RM-8145
Gerald, Dixon and Cuba, Missouri)	)	RM-8146
	)	RM-8147
To: Chief, Allocations Branch		

**REQUEST FOR LEAVE TO FILE SUPPLEMENTAL COMMENTS**

Zimmer Radio of Mid-Missouri, Inc. ("Zimmer"), licensee of Station KCMQ(FM), Channel 244C3, Columbia, Missouri, by its attorneys, hereby submits its Request for Leave to File Supplemental Comments in the above-captioned proceeding.<sup>1</sup> In support whereof, the following is stated:

On July 30, 1992, Zimmer's predecessor-in-interest, Greenfield, filed a "Petition for Rulemaking and a Request for Modification of Authorization" (RM-8062), seeking the substitution of Channel 244C1 for Channel 244C3 at Columbia, Missouri, and the corresponding modification of KCMQ's authorization. To accommodate the upgrade of KCMQ, Greenfield proposed to substitute either Channel 297A or Channel 231A for the then vacant Channel 244A allotment at

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Zimmer Radio of Mid-Missouri, Inc., is the successor-in-interest to Al Greenfield, d/b/a The Greenfield Group, Receiver ("Greenfield"), the former licensee of Station KCMQ. The assignment of license for Station KCMQ from Greenfield to Zimmer was consummated on August 11, 1993.

Bourbon, Missouri. On September 22, 1992, the FCC released a Notice of Proposed Rule Making in MM Docket No. 92-214, 7 FCC Rcd 6230 (Aud. Serv. Div. 1992) ("NPRM"), which proposed to make the requested upgrade of KCMQ on Channel 244C1, and to either substitute Channel 297A for the vacant Channel 244A allotment at Bourbon or to delete the Bourbon allotment altogether. Greenfield and Zimmer filed Joint Comments supporting the proposal set forth in the NPRM on November 3, 1992, and Joint Further Reply Comments on January 13, 1993.

The four above-captioned counterproposals were filed in response to the NPRM. However, as demonstrated in the Technical Statement of W. Jeffrey Reynolds of du Treil, Lundin & Rackley, Inc., attached to Zimmer's Supplemental Comments, the Commission's June 6, 1995, denial of a petition for reconsideration of the dismissal of a rulemaking petition filed by Town and Country Communications, Inc. ("Town and Country"), licensee of Station KATI(FM) (formerly KZMO-FM), California, Missouri, seeking to upgrade Station KATI from Channel 232C2 to Channel 232C1, removed a conflict between substitute Channel 231A at Bourbon, and the Town and Country proposal to upgrade Station KATI. As a result, Channel 221A can now be allotted to Dixon, Missouri, in lieu of Channel 243A, consistent with the Commission's mileage separation and city-grade coverage requirements. Thus, the conflicting counterproposal filed by Central Missouri Broadcasting, Inc., licensee of Stations KLIK(AM)/KTXY(FM), Jefferson City, Missouri, can be accommodated through the allotment of an alternative channel.

Similarly, Channel 231A can be allotted to Bourbon, Missouri, consistent with the mileage separation and city-grade coverage requirements, in lieu of Channel 244A. Thus, the allotment of a channel at Bourbon no longer is an impediment to KCMQ's proposed channel 244C1 upgrade. Although Lake Broadcasting, Inc. ("Lake"), licensee of Station KBMX(FM), Eldon, Missouri, and

permittee of Station KFXE(FM), Cuba, Missouri, filed a “first come, first serve” application for Channel 244A at Bourbon specifying a site which does not meet the separation requirements for Channel 231A, the rulemaking petition filed by Greenfield (the former licensee of KCMQ), which was filed with the Commission prior to Lake’s application, included a proposal to change the Bourbon Channel 244A allotment. Thus, in accordance with Conflicts Between Applications and Petitions for Rulemaking to Amend the FM Table of Allotments, 7 FCC Rcd 4917 (1992), recon. granted in part, 8 FCC Rcd 4743 (1993), Lake should be required to amend its application to specify a non-conflicting transmitter site.

Moreover, as a result of the voluntary dismissal of the petitions for rulemaking filed by Jeff Weinhaus and Tony Knipp for Channels 231A or 297A at Leasburg and Channel 297C3 at Gerald, Missouri, Lake’s counterproposal to upgrade Station KFXE, Cuba, Missouri, from Channel 271A to Channel 297C3 can be accommodated consistent with the mileage separation and city-grade coverage requirements.

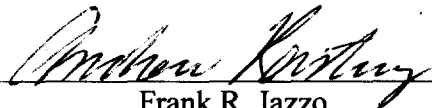
As demonstrated herein, as a result of the dismissal of the counterproposals seeking the allotment of Channels 231A or 297A at Leasburg, and Channel 297C3 at Gerald, Missouri, as well as the Commission’s denial of Town and Country’s petition for reconsideration seeking to upgrade Station KATI, California, Missouri, from Channel 232C2 to Channel 232C1, the Commission now may (1) grant the upgrade of KCMQ to Channel 244C1 at Columbia; (2) allot Channel 221A as a new assignment to Dixon; (3) replace the Channel 244A allotment at Bourbon with Channel 231A; and (4) upgrade KFXE’s assignment at Cuba to Channel 297C3 without prejudicing the rights of any party hereto. Therefore, Zimmer submits that because this rulemaking proceeding has been pending

before the Commission for over three years, consideration of the proposal set forth in its Supplemental Comments for immediate resolution of this proceeding is in the public interest.

WHEREFORE, in light of the foregoing, Zimmer Radio of Mid-Missouri, Inc., respectfully requests leave to file the Supplemental Comments filed contemporaneously herewith.

Respectfully submitted,

ZIMMER RADIO OF MID-MISSOURI, INC.

By:   
Frank R. Jazzo  
Andrew S. Kersting

Its Counsel

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September 28, 1995

## **CERTIFICATE OF SERVICE**

I, Andrew S. Kersting, hereby certify that on this 28th day of September, 1995, copies of the foregoing "Request for Leave to File Supplemental Comments" were mailed first class, postage prepaid, to the following:

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